

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Health Medical & Family Welfare Department – Dr. P. Ramakrishna, former Superintendent, Govt. Hospital for Mental Care, Visakhapatnam – Prosecuted and convicted – Criminal Appeal allowed by the High Court – SLP filed in the Supreme Court – Dismissed – Further action dropped – Regularization of the period of suspension as “On duty” and release of pensionary benefits – Orders – Issued.

HEALTH, MEDICAL & FAMILY WELFARE (VC-1) DEPARTMENT

G.O.Rt. No. 1212

Dated:09-09-2010

Read the following:-

- 1) Judgment of the II Additional District and Sessions Judge cum Special Judge for SPE & ACB Cases, Visakhapatnam in C.C. No. 3/1994, dated 22.2.1999.
- 2) G.O. Ms. No. 323, Health Medical & Family Welfare (A1) Department, dated 15.06.1999.
- 3) Orders dated 04.01.2006 of Hon'ble High Court of A.P. in Criminal Appeal No. 421 of 1999 filed by Dr. P. Ramakrishna.
- 4) From the Director General, Anti-Corruption Bureau, A.P., Letter No. 62/RCT/WVP/1993-S11, dated 21.2.2007.
- 5) Orders dated 18.2.2010 in Criminal Appeal No. 697 of 2007 filed by the State of Andhra Pradesh.
- 6) Representation of Dr. P. Ramakrishna, former Professor of Psychiatry, Institute of Mental Health, A.P., Hyderabad.

ORDER:

Dr. P. Ramakrishna, while working as Superintendent, Government Hospital for Mental Care, Visakhapatnam was trapped by the Anti Corruption Bureau authorities when he demanded and accepted the illegal gratification from the complainant. He was prosecuted in a court of law for the offences punishable under section 7 and section 13 (2) of the Prevention of Corruption Act, 1988. In the reference first read above, the Special Judge for SPE & ACB Cases, Visakhapatnam has pronounced judgment convicting the Accused Officer. Therefore, in G.O. second read above, Government issued orders dismissing Dr. P. Ramakrishna, Professor of Psychiatry, Institute of Mental Health, A.P., from service. Dr. P. Ramakrishna has filed Criminal Appeal No. 421 of 1999 in the High Court of A.P. against the conviction of Trial Court. In the reference third read above, the Hon'ble High Court has allowed the Criminal Appeal and acquitted the Appellant from all the charges leveled against him. Government have filed Special Leave Petition in the Supreme Court against the said orders of High Court. In the reference fifth read above, the Hon'ble Supreme Court dismissed the S.L.P. filed by the State of Andhra Pradesh and held that " as the fact have been examined threadbare by the High Court in favour of the accused, we are not inclined to interfere in this matter".

2. In his representation sixth read above, Dr. P. Ramakrishna, former Professor of Psychiatry, Institute of Mental Health, A.P. has requested to set aside the punishment and release the pensionary benefits like regularization of the period of suspension from service and interregnum period between date of dismissal to date of superannuation as on duty, fixation of pay in the Revised Pay Scales, 1999 and 2005, notional promotion on par with his juniors etc. Dr. P. Ramakrishna, Professor has attained the age of superannuation on 31.03.2004.

3. After careful consideration of the facts of the case and judgment of the Hon'ble Supreme Court in the reference fifth read above, Government have decided to drop further action against Dr. P. Ramakrishna, Professor of Psychiatry, Institute of Mental Health, Hyderabad and to allow all consequential benefits to him. Accordingly, Government hereby drop further action against Dr. P. Ramakrishna, Professor of Psychiatry and set aside the orders issued in G.O. second read above. Government further order that under rule 54-B of the Fundamental Rules, the period of suspension from service and interregnum period between the date of dismissal from service to date of superannuation of Dr. P. Ramakrishna, Professor of Psychiatry shall be treated as "On Duty" for all purposes.

4. The Director of Medical Education, A.P., shall take further action in the matter.

5. The Health Medical & Family Welfare (A1) Department shall take further action on the request of Dr. P. Ramakrishna for notional promotion as Additional Director, on par with his juniors.

6. This order does not require the concurrence of Finance Department as per rules or orders on the subject.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.SATYANARAYANA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Dr. P. Ramakrishna,
Professor of Psychiatry,
H.No. 8-3-320/1/8,
Flat No. 201, Sai Krishna Residency,
Sai Saradhi Nagar,
Yellareddyguda,
HYDERABAD-73.

The Health Medical & Family Welfare (A1) Department (w.e.).

The Director of Medical Education, A.P., Hyderabad.

Copy to:

The Director General, Anti Corruption Bureau, A.P., Hyderabad.

The Secretary to Vigilance Commissioner, A.P. Vigilance Commission.

SF.

//FORWARDED::BY ORDER//

SECTION OFFICER